

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.68004 of 2018

Arising Out of PS. Case No.-236 Year-2018 Thana- SABAUR District- Bhagalpur

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Lalan Kumar, Son of Late Sargun Gope, resident of Mohalla-Kamal Nagar
Colon Mirjanhat, Police Station-Mojahidpur, Distt.-Bhagalpur, at present
posted as Headmaster in Middle School Danda Bazar, Police Station-
Goradih, Distt.-Bhagalpur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Dilip Kumar, Advocate.

For the Opposite Party : Mr. Ashok Kumar,A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 15-01-2019 A supplementary affidavit has been filed on behalf of

the petitioner. The same may be kept on record.

Heard learned counsel for the petitioner and learned

A.P.P. for the State.

The petitioner is apprehending his arrest in a case for

the offence registered under Sections 406, 420, 467, 468, 471

and 120(B) of the IPC.

The prosecution story, in brief, is that the petitioner

being Headmaster of the Middle School withdrawn rupees from

the United Bank of India, Machhipur Branch relating to the fund

of M.D.M. (Mid-Day Meal) on the forged signature of one Pinki

Devi the then Cook under the Mid-Day-Meal. It is also alleged

that the accused petitioner in connivance with one Shankar



Harijan, Up-Sarpanch, Village-Fajilpur had misappropriated the Government fund relating to Pradhanadhyapak Shaikchhanik Bhraman, Poshak, Student's Scholarship and other development schemes. It is also alleged that the then Block Education Officer, namely, Pratima Kumari was also involved in misappropriation of the aforesaid fund.

It has been submitted by learned counsel for the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner has been made accused in the present case due to mistake of fact. In course of investigation, in paragraph no. 21 of the case diary, it has come that there was no defalcation of money made on the part of the petitioner. The allegations made in the F.I.R. is denied by the petitioner.

On behalf of the learned counsel for the State, it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named, in the event of arrest or surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) with two sureties of the



like amount each to the satisfaction of the learned C.J.M.,
Bhagalpur, in connection with Sabour (Goradih) P.S. Case No.
236 of 2018, subject to the conditions as laid down under
Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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